FD-302 (Rev. 4-15-64)

FEDERAL BUREAU OF INVESTIGATION

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Date April 10, 1968

Mr. BERNELL FINLEY, 1468 Kyle, Memphis, Tennessee, home telephone number 275-6524, who stated that he is an offset pressman at the Church of God in Christ Publishing House, 930 Mason Street, Memphis, Tennessee, telephone number 526-1169, was interviewed at his home by Lt. J. D. HAMBY, Homicide Bureau, Memphis Police Department, and Special Agent FRANKLIN L. JOHNSON. He furnished the following information:

He got off work at approximately 5:20 P.M., April 4, 1968, and he and a fellow employee, JULIUS GRAHAM, drove in Mr. FINLEY's car, a 1964 white, four-door Rambler, directly to Canipe Amusement Company, 424 South Main Street, where they wanted to look over some old phonograph records. As they proceeded north on South Main Street to the vicinity of this store, they observed that all of the parking spaces in the block in front of CANIPE's store on the east side of Main were filled with automobiles. They continued north on South Main to Huling Street, turning right and parking Mr. FINLEY's car near a driveway under construction in the first block east of Main Street. They walked directly to Canipe Amusement Company. He estimated they arrived there about 5:30 P.M. There were no customers in Canipe Amusement Company other than Mr. FINLEY and Mr. GRAHAM. The two of them proceeded to look at old records in shelves on the south side of the store near the front of the store. The owner, Mr. CANIPE, was playing the "jukebox."

Sometime around 6:00 P.M., Mr. FINLEY heard a noise that sounded like a shot. He does not know whether Mr. GRAHAM or Mr. CANIPE heard this noise, as they said nothing and he said nothing. He attached no particular significance to hearing this noise at the time, but continued to look at records. Shortly thereafter and certainly within a matter of just a minute or so, he heard a second noise near the front door of CANIPE's store. He, Mr. GRAHAM, and Mr. CANIPE all immediately looked to the front door where they saw a box or package or bundle lying immediately in front of the door of this store. As his attention was attracted

On 4/5/68 at Memphis, Tennessee File # Memphis 44-1987-Sub D-6

by SA FRANKLIN L. JOHNSON:jap Date dictated 4/9/68

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to this box or package, he also saw a man walking rapidly south on the sidewalk on the east side of Main, it being obvious that this was the person who had dropped or thrown the package in front of CANIPE's store, there being no one else around in that area and the box or package not having been there earlier.

Mr. FINLEY recalls that Mr. CANIPE walked up to the door and Mr. FINLEY followed him. Mr. CANIPE opened the door and started outside but immediately backed up and said, "Get back, there's some kind of trouble out here and I don't want no part of it." Immediately thereafter, Mr. FINLEY saw a Deputy Sheriff walking rapidly on the sidewalk south on Main, with his gun drawn, this Deputy not stopping but continuing south on Main in the same direction in which the above mentioned unknown man had walked. A few minutes thereafter he saw this same Deputy in front of CANIPE's store with his gun still drawn looking up as though he were trying to observe the upper stories of the buildings in the vicinity. A number of other officers arrived immediately thereafter, all of them being on foot.

Just about the time that Mr. CANIPE started out of the front door of the store, Mr. FINLEY heard the "screech" of tires and looked up to see a white Mustang speeding north on Main past CANIPE's store.

Mr. FINLEY explained that there was a car parked in front of CANIPE's store and therefore he did not get a full view of the car which had sped away, but he did see the rear portion of the roofline, as well as the trunk of the speeding car, and there is no question in his mind that this was a white car and there has been no question in his mind but what the car was a Mustang.

At the time this car sped away, Mr. FINLEY stated that he did not associate the speeding white Mustang with the man who had dropped the box or package, but after he learned what had occurred and after reflecting on the matter, he is now of the opinion that the man who dropped the package and walked south on the sidewalk past CANIPE's store was probably the man who got into the white Mustang and sped away from the area, going north on Main. As nearly as he can recall the sequence of the events, this white Mustang sped away from the curb moments before the Deputy Sheriff walked south past CANIPE's store.

As to the cars in the parking spaces in front of and to the south of CANIPE's store on the east side of Main, Mr. FINLEY advised that the car in the first position (that is, the car in front of CANIPE's store) was there when he first arrived at CANIPE's store and was there when he eventually left the area. He stated that after he had been questioned by Police and left CANIPE's store, there were no other vehicles immediately behind the car in front of CANIPE's store. He stated he was not in position to tell whether the speeding white Mustang pulled away from a parking space immediately behind the car which remained parked in front of CANIPE's store, or whether possibly it pulled away from a parking space farther south of this point.

Mr. FINLEY stated that he simply did not observe whether there was one or more occupants in the speeding Mustang, and he did not observe the license plates on this Mustang. He stated that the Mustang was one of the standard varieties and not the "Fastback" variety of Mustang.

Mr. FINLEY stated that the first person he saw in the area after his attention was first attracted by the dropping of the box was the above mentioned Deputy Sheriff with a revolver in his hand, and he knows of no one other than himself, Mr. CANIPE, and Mr. GRAHAM who saw the man in question and who saw the white Mustang speed away from the area, going north on Main.

As to the box or package dropped or thrown down by the unknown man, Mr. FINLEY stated that he observed a pasteboard box about 4 feet x 6 or 8 inches x 3 or 4 inches, having a tag of some kind on it, the top to this box being partially off to the point where he could see from one foot to 18 inches of the barrel of a gun. Eventually he observed that this gun was a rifle with a scope on it. There was some type of luggage, approximately 2 feet x 1½ feet x 6 or 8 inches, larger than an attache case, and some type of cloth folded over both of these items.

Mr. FINLEY stated that after the above mentioned armed Deputy Sheriff walked past CANIPE's store and after some other officers had arrived and were in front of CANIPE's store Mr. CANIPE motioned to the officers from inside CANIPE's store, attracting the attention of one of them and pointing out the items left in front of the store and explaining to them what had occurred.

As to a description of the unknown man who dropped or threw down the package, Mr. FINLEY pointed out that he saw this man only momentarily, the man not taking over one or two steps while still in Mr. FINLEY's view. He stated that he "only got a glimpse of the man," not seeing his face except enough of the left side of the man's face to tell that he was a white man. He furnished the following description of this man:

Race:	White
Sex:	Male
Age:	Simply not in a position to judge other than to state that man was not an old man (based upon the manner in which he walked).
Height:	5'8" to 5'10" (Mr. FINLEY at first placed the height at 5'6" to 5'8", stating that his final estimate was a little better than a guess).
Weight:	Around 160 pounds (stating that his estimate as to weight would vary depending on the man's height, that the man was not skinny and not fat but had an average build).
Build:	Average
Hair:	Simply cannot recall observing area of man's head; does not recall whether wearing hat; does not recall observing hair.
Dress:	Wearing dark suit